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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,885	08/23/2001	Jin Lu	US010363	1370

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P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

LONSBERRY, HUNTER B

ART UNIT PAPER NUMBER

2611

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,885

Applicant(s)

LU, JIN

Examiner

Hunter B. Lonsberry

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 6-8, 10, 15-17, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,295,092 to Hullinger.

Regarding claim 1, Hullinger discloses a method for reviewing broadcast channels, the method comprising:

capturing at least one broadcast channel at a first site 20 at a reduced quality from its broadcast quality (column 3, lines 5-18, column 4, lines 60-66, video may be captured at a desired rate such as 5 frames a second at 160x120);

receiving the at least one reduced quality broadcast channel at a second site 24(user's computer via a web browser, column 2, line 66-column 3, line 2, 58-67) the second site being remote from the first site (figure 1, the computers 20 and 24 are separate devices thus each is remote from one another as they access the data via a network); and

reviewing the at least one reduced quality broadcast channel at the second site (column 12, line 60-column 13, line 10).

Regarding claims 6, 15, and 20, Hullinger discloses the use of a broadcast video channel, which is transmitted at a lower resolution (column 3, lines 8-11, column 4, lines 63-66).

Regarding claim 7, Hullinger disclose that supplemental information (ratings data) is transmitted along with the reduced quality broadcast channel to the second site (column 3, lines 58-61).

Regarding claims 8, 16, Hullinger discloses that the reduced quality channel comprises a plurality of reduced quality broadcast channels (column 13, line 57-column 14, line 28, multiple channels are played simultaneously or individually) wherein the reviewing step comprises browsing the plurality of reduced quality broadcast channels (column 13, line 57-column 14, line 28, multiple channels are played simultaneously or individually).

Regarding claim 10, Hullinger discloses a system (figure 1) for reviewing broadcast channels, the system comprising:

Capturing means 14/16/18 for capturing at least one broadcast channel at a first site 20 at a reduced quality from its broadcast quality (column 3, lines 5-18, column 4,

lines 60-66, video may be captured at a desired rate such as 5 frames a second at 160x120);

Receiving means 24 receiving the at least one reduced quality broadcast channel at a second site 24 (user's computer via a web browser, column 2, line 66-column 3, line 2, 58-67) the second site being remote from the first site (figure 1, the computers 20 and 24 are separate devices thus each is remote from one another as they access the data via a network); and

Reviewing means (21 inch SVGA monitor coupled to the user interface machine 24, column 3, lines 61-66) for reviewing the at least one reduced quality broadcast channel at the second site (column 12, line 60-column 13, line 10).

Regarding claim 17, Hullinger discloses an apparatus 24 (figure 1) for reviewing broadcast channels, the apparatus comprising:

Receiving means 24 receiving the at least one broadcast channel at a reduced quality from its broadcast quality (user's computer, column 2, line 66-column 3, line 2, 58-67, reduced quality, column 4, lines 60-66) which has previously been captured at a remote site (column 3, lines 5-18, figure 1, the computers 20 and 24 are separate devices thus each is remote from one another as they access the data via a network); and

Reviewing means (21 inch SVGA monitor coupled to the user interface machine 24, column 3, lines 61-66) for reviewing the at least one reduced quality broadcast channel (column 12, line 60-column 13, line 10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-3, 11-12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,295,092 to Hulligner in view of U.S. Patent 6,930,984 to Nomura.

Regarding claims 2-3, 11-12, and 18, Hullinger discloses that the video is captured on a capture machine 14/16/18 and transferred to a server 20 (column 3, lines 16-29, 47-50) a user machine 24 then interfaces with the server and plays the reduced quality video back (column 3, lines 58-62).

Hullinger fails to disclose a video server, which has a corresponding Internet address.

Nomura discloses a client video server system in which both a client running a video player application and server which provides video to the client have a corresponding IP address (column 25, lines 13-55), thus allowing a client device to easily recognize a remote server and ensure that the requested data is routed to the proper client.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Hullinger to utilize the IP address features of Nomura for the advantage of ensuring that the requested data from a video server is routed to the proper client machine.

3. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,295,092 to Hullinger in view of U.S. Patent 6,930,984 to Nomura in further view of U.S. Patent 6,751,221 to Saito.

Regarding claims 4 and 13, Hullinger discloses that the reduced quality broadcast channel comprises a plurality of reduced quality broadcast channels (column 3, lines 5-20, column 13, line 587-column 14, line 3).

Nomura teaches the use of a video server IP address.

The combination of Hullinger and Nomura fails to disclose multicasting video channels from at least one Internet address.

Saito discloses an IP Multicast scheme which enables a plurality of terminals to receive a program simultaneously from the same source (column 62, line 61-column 63, line 15, column 66, line 51-column 67, line 26), thus maximizing bandwidth by reducing the number of streams required to provide programs to a plurality of users.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the combination of Hullinger and Nomura, to utilize the IP multicast

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feature of Saito for the advantage of maximizing bandwidth by reducing the number of streams required to provide programs to a plurality of users.

4. Claims 5, 14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,295,092 to Hulligner in view of U.S. Patent 6,470,378 to Tracton.

Regarding claims 5, 14, and 19, Hullinger discloses transmitting reduced quality broadcast video to a second site.

Hullinger fails to disclose the use of wireless transmission between the first and second site.

Tracton discloses a video transmission system in which MPEG video may be transmitted from a server 100 via the Internet 104 to a client device 102 via a wireless link (column 4, lines 33-63, column 7, lines 26-34), thus enabling a user to receive a requested program away from their computer.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Hullinger to utilize the wireless links of Tracton for the advantage of enabling a user to view a requested program away from their computer to increase convenience for the user.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,295,092 to Hulligner in view of U.S. Patent 6,281,940 to Sciammarella.

Regarding claim 9, Hullinger discloses providing multiple reduced quality channels to a user.

Hullinger fails to disclose cycling through a predetermined number of the channels at a predetermined rate.

Sciammarella discloses a channel-previewing feature (figures 7a-c), which cycles through a predetermined number of channels (column 9, lines 3-20) at a predetermined rate (column 8, lines 10-53) thus providing a convenient and easy way to review programming.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Hullinger to utilize the cycling through a predetermined number of channels at a predetermined rate, as taught by Sciammarella for the advantage of providing a convenient and easy way to review programming.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,295,092 to Hullinger in view of Hot! New Stuff.

Regarding claim 21, Hullinger discloses that reviewing means 24 may be a personal computer and the reviewing means is an SVGA monitor (column 3, lines 63-66).

Hullinger does not disclose if the reviewing means is a display integral with the apparatus.

Hot! New Stuff discloses that Compaq offers a Presario model line of PC which offers monitors and speakers which are integrated with the rest of the computer (page 18), thus taking up a smaller amount of space on a desk.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Hullinger to utilize a PC with an integrated monitor, as taught by Hot! New Stuff for the advantage of taking up a smaller amount of space on a desk.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on 571-272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HBL



CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800